

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) | Case No. 4:08CR3048 |
|                           | ) |                     |
| Plaintiff,                | ) |                     |
|                           | ) |                     |
| vs.                       | ) | <b>MEMORANDUM</b>   |
|                           | ) | <b>AND ORDER</b>    |
| ROBERT E. SWIFT,          | ) |                     |
|                           | ) |                     |
| Defendant.                | ) |                     |

On the oral motion of the plaintiff, and without objection by defense counsel,

IT IS ORDERED that:

(1) The defendant's September 18, 2009 Rule 35 hearing is canceled until further order of the court.

(2) Counsel for the government shall notify the court when the motion for reduction in sentence pursuant to Rule 35(b) is ripe for decision. The motion shall not be decided until counsel for the government certifies that the motion is ripe.

September 17, 2009.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge